

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SANTA CRUZ HOMELESS UNION, et al.,

Plaintiffs,

v.

MARTIN BERNAL, et al.,

Defendants.

Case No. 20-cv-09425-SVK

**ORDER GRANTING PLAINTIFFS'
APPLICATION FOR TEMPORARY
RESTRAINING ORDER AND MOTION
SCHEDULING**

Re: Dkt. No. 1

Presently before the Court is Plaintiffs' Ex Parte Application for Emergency Temporary Restraining Order and Preliminary Injunction. Dkt. 1. The Court finds that Plaintiffs have shown that immediate and irreparable injury, loss, and/or damage will result to the movant before the adverse party can be heard in opposition. Fed. R. Civ. P. 65(b). Plaintiffs' counsel has certified in writing his efforts to meet and confer with and notice given to Defendants on December 30, 2020. Dkt. 1-1 ¶¶ 1-2; Ex. B.

Given the urgency of this matter, the City of Santa Cruz, its officers, agents, and employees, including Defendants City Manager Martin Bernal and Director of Parks & Recreation Tony Elliot, are hereby restrained from closing San Lorenzo Park and/or the Benchlands or from taking any action whatsoever to remove persons or seize or destroy personal property belonging to homeless persons currently residing at those locations until further action of the Court.

The Court **ORDERS** as follows:

1. This Temporary Restraining Order is entered December 30, 2020 for a period of seven days through **January 6, 2021**.
2. Parties are to provide briefing for the motion for preliminary injunction on the following schedule:

a. Plaintiffs may submit any supplemental briefing in support of preliminary injunction by **12:00 p.m. on December 31, 2020.**

b. Defendants shall file and serve an opposition to preliminary injunction, if any, by **12:00 p.m. on January 5, 2021.**

3. A hearing on this matter will take place via video conference at **2:00 pm. on January 6, 2021.**

SO ORDERED.

Dated: December 30, 2020



SUSAN VAN KEULEN
United States Magistrate Judge